

**FILED**

**AUG 31 2010**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BY DEPUTY CLERK

BENJAMIN B. WAGNER  
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IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	MAG. NO. 05-116-dad
Plaintiff,	)	
v.	)	
	)	MOTION TO DISMISS
VICTOR MANUEL ESPITIA,	)	AND (proposed) ORDER
Defendant.	)	

**MOTION**

HEREBY, the United States moves that this Court enter an order, pursuant to Fed. R. Crim. Pro. 48(a), to dismiss without prejudice the Complaint against VICTOR MANUEL ESPITIA.

DATED: August 31, 2010

BENJAMIN B. WAGNER  
United States Attorney  
s/ Michelle Rodriguez  
BY MICHELLE RODRIGUEZ  
Assistant U.S. Attorney

**ORDER**

The United States' motion to dismiss without prejudice the Complaint in MAG No. 05-0116-DAD against defendant VICTOR MANUEL ESPITIA is GRANTED.

DATED: Aug 31, 2010

GREGORY G. HOLLOWS  
HON. GREGORY G. HOLLOWS  
U.S. Magistrate Court Judge